

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SHARON SMITH,

Plaintiff,

v.

PETCO ANIMAL SUPPLIES STORES,  
INC.,

Defendant.

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Civil Action No. 2:19-cv-00001

Magistrate Judge Lisa Pupo Lenihan

**ORDER**

Given that motions pursuant to Federal Rule of Civil Procedure 12(b) are discouraged if the pleading defect is curable by amendment, **IT HEREBY IS ORDERED this 18<sup>th</sup> day of January, 2019**, that the parties must meet and confer at least 5 business days prior to the filing of such a motion to determine whether it can be avoided. The duty to meet and confer extends to parties appearing *pro se*. Consistent with the foregoing, **motions to dismiss must be accompanied by a certificate of the movant**, stating that the moving party has made good faith efforts to confer with the nonmovant(s) to determine whether the identified pleading deficiencies properly may be cured by amendment. The certificate should include when and how the meet and confer took place. **The Court will strike any motion to dismiss that does not contain the required certification.**

**IT IS FURTHER ORDERED** that: (1) as soon as is practicable, Plaintiff(s) promptly shall serve a copy of this Order upon Defendant(s); (2) all counsel and unrepresented parties must read, know and understand the Local Rules of this Court (*see* web page at: [http://www.pawd.uscourts.gov/sites/pawd/files/local\\_rules/lrmanual\\_0.pdf](http://www.pawd.uscourts.gov/sites/pawd/files/local_rules/lrmanual_0.pdf)); and (3) all counsel

and unrepresented parties must familiarize themselves with the undersigned's Practices and Procedures (*see* web page at <http://www.pawd.uscourts.gov/content/lisa-pupo-lenihan-magistrate-judge>) and they will be held responsible for complying with the same.

s/ Lisa Pupo Lenihan \_\_\_\_\_  
Lisa Pupo Lenihan  
United States Magistrate Judge